

BIRMINGHAM REPORTING SERVICE

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 EASTERN DIVISION
4

5 TERRY L. DANIEL,
6 Plaintiff,

7 v.s.

CIVIL ACTION NO.:

8 CV-00-D-400-E
9

10 CITY OF LANETT,
11 Defendant.
12

13
14 DEPOSITION OF RALPH COBB
15

16
17 The deposition of RALPH COBB was
18 taken before Kelli Kelly, October 5,
19 2000, at 1400 SouthTrust Tower,
20 Birmingham, Alabama, commencing at 10:30
21 a.m. pursuant to the stipulations set
22 forth herein:
23

COPY

EXHIBIT

D

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1 A Not to my direct knowledge,
2 no.

3 Q Do you understand that if
4 someone is having a problem with a
5 certain procedure that may, in fact,
6 affect them in their ability to move
7 through the ranks, that they should know
8 about it and be notified about it?

9 A Yes, sir, and that was done.

10 Q What other forms of
11 discipline are there other than written
12 discipline?

13 A Verbal counseling.

14 Q And to your knowledge had
15 Mr. Daniel been verbally counseled about
16 his lack of patient interaction or
17 patient care?

18 A After the September of '97
19 promotion, I talked to each applicant and
20 told them what I saw was the overriding
21 problems were in their promotion. And I
22 explained to him at that point that part
23 of the problem was his unwillingness to

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1 give care.

2 Q And prior to September of
3 '97 when he wasn't considered in the top
4 three, had you had any such discussion
5 with him?

6 A Yes.

7 Q How many times do you
8 believe you had had that kind of a
9 discussion with him?

10 A All I could say really,
11 several.

12 Q Several? And tell me what
13 it was you would tell him.

14 A That it was in his best
15 interest to give patient care, that I
16 considered it an essential element of the
17 job and it was best for him to do that.

18 Q How did you learn that he
19 had a problem giving patient care?

20 A Complaints from his peers
21 and supervisor.

22 Q Can you give me the names of
23 anybody in particular that complained

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1 A Yes.

2 Q And did they ever indicate
3 to you or did Mr. Daniel ever indicate to
4 you that the reason that he was saying he
5 did not want to do it was because he
6 thought it was better for the patient to
7 receive that care from the paramedic who
8 had better training?

9 A No. He told me he was
10 uncomfortable with providing hands-on
11 patient care.

12 Q Did he indicate one of the
13 reasons he was uncomfortable was because
14 there was someone more qualified present?

15 A No.

16 Q And did he indicate to you
17 he was uncomfortable because his training
18 was limited to basic EMT?

19 A There is probably --
20 ninety-five percent of the calls we go on
21 are within the basic EMT spectrum of
22 care.

23 Q That's not my question. My